

**FILED**

SEPTEMBER 19, 2005

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

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IN THE MATTER OF THE  
SURRENDER OF THE LICENSE OF

**David Silverstein**  
**License No. MA051260**

TO PRACTICE MEDICINE & SURGERY  
IN THE STATE OF NEW JERSEY

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: Administrative Action  
:  
:  
: **CONSENT ORDER OF**  
: **VOLUNTARY SURRENDER**  
: **OF LICENSURE**  
:

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of information that David Silverstein, M.D., ("Respondent") had admitted to a relapse into a prior substance abuse problem. Respondent presently resides in Atlanta, Georgia and has not practiced medicine since 2002. This information came to the Board by way of correspondence dated April 13, 2005 from Louis Baxter, Sr., M.D. of the Alternative Resolution Program (ARP), a division of the Professional Assistance Program (PAP). On June 14, 2005, Respondent appeared before a Preliminary Evaluation Committee (PEC) of the Board

**CERTIFIED TRUE COPY**

and testified that he had a relapse of a prior substance abuse problem. Specifically, in 2003 while he was at the Talbot Recovery Center in Georgia in a rehabilitation program and again in September 2004 while a participant in the ARP. Respondent further stated that he is not now in stable recovery.

Respondent now seeks leave to voluntarily surrender his license to practice medicine and surgery in the State of New Jersey without prejudice and in accordance with the terms of this Order. The Board finding the within disposition to be adequately protective of the public health, safety and welfare;

IT IS, therefore, on this 9<sup>th</sup> day of Sept, 2005, ORDERED  
THAT:

1. Respondent, David Silverstein, M.D. shall immediately surrender his license to practice medicine and surgery in the State of New Jersey.

2. Respondent shall return his original New Jersey license and most recent biennial registration to the New Jersey State Board of Medical Examiners, Post Office Box 183, 140 East Front St., Trenton, New Jersey 08625-0183 upon his receipt of a filed copy of this Order.

3. Respondent shall return his original CDS registration to the New Jersey State Board of Medical Examiners, Post Office Box 183, 140 East Front St., Trenton, New Jersey 08625-0183, upon his receipt of a filed copy of this Order.

4. Respondent shall immediately advise the DEA of this Order.
5. Respondent shall comply with the attached Directives for Physicians whose Surrender of Licensure has been Accepted by the Board, which are incorporated herein by reference.
6. Prior to any restoration of his license, Respondent shall:
  - a. Appear before the Board or a committee thereof to discuss his readiness to reenter the practice of medicine. At that time Respondent shall be prepared to propose his plans for future practice in New Jersey.
  - b. Provide the Board with evidence that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and that he is not then suffering from any impairment or limitation resulting from the use of any CDS or other substance, whether legal or illegal, which could affect his practice.
  - c. Provide the Board with reports from each and every mental health professional (including but not limited to: psychologists, counselors, psychiatrists or psychotherapists) who have participated in Respondent's care and/or treatment for the disability in this matter during the period of time from his initial entry into treatment to his appearance before the Board.

- d. Affirmatively establish his fitness, competence and capacity to re-enter the active practice of medicine and surgery within New Jersey.
  - e. Provide the Board with a full account of his conduct during the intervening period of time from his surrender of licensure to his appearance pursuant to this Order.
7. The parties hereby stipulate that entry of this Order is without prejudice to further action by this Board or other law enforcement entities resulting from Respondent's conduct.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS

By: \_\_\_\_\_

Bernard Robins, M.D., F.A.C.P.  
Board President

I have read and understood the within Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

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David Silverstein, M.D.